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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/821,099

04/07/2004

Sean Christopher Endler

Sony-07200

8955

7590

10/05/2006

Valley Oak Law
5655 Silver Creek Valley Road, #106
San Jose, CA 95138

EXAMINER

BETIT, JACOB F

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,099

Applicant(s)

ENDLER ET AL.

Examiner

Jacob F. Betit

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/11/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-16, 20-23, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Bellwood et al. (U.S. patent No. 2004/0064835 A1).

As to claim 1, Bellwood et al. teaches a method comprising:

detecting an event (see paragraph 0028);

searching for an event profile corresponding to the event (see paragraph 0040);

detecting content and description information corresponding to the content (see paragraph 0032); and

associating the content with the event based on the description information and the event profile (see paragraph 0033).

As to claim 2, Bellwood et al. teaches further comprising matching the description information with the event profile (see paragraph 0033).

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As to claim 3, Bellwood et al. teaches wherein the event profile includes an event location (see paragraph 0044).

As to claim 4, Bellwood et al. teaches wherein the event profile includes an event time (see paragraph 0044).

As to claim 5, Bellwood et al. teaches wherein the event profile includes an event duration (see paragraph 0044).

As to claim 6, Bellwood et al. teaches wherein the event profile includes a listing of event participants (see paragraph 0028).

As to claim 7, Bellwood et al. teaches wherein the description information includes a capture location (see paragraphs 0034 and 0045).

As to claim 8, Bellwood et al. teaches wherein the description information includes a time (see paragraphs 0034 and 0045).

As to claim 9, Bellwood et al. teaches wherein the description information includes an author (see paragraph 0031, where the author is the employee watching baseball games and send[ing] corresponding event identifiers).

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As to claim 10, Bellwood et al. teaches wherein the content is a digital image (see paragraph 0039).

As to claim 11, Bellwood et al. teaches wherein the content is one of a video media, an audio media, a textual media, and a graphical media (see paragraph 0039).

As to claim 12, Bellwood et al. teaches further comprising storing the event profile (see paragraphs 0047).

As to claim 13, Bellwood et al. teaches further comprising storing the description information with the content (see paragraphs 0031-32).

As to claim 14, Bellwood et al. teaches a system comprising:

means for detecting an event (see paragraph 0028);

means for searching for an event profile corresponding to the event (see paragraph 0040);

means for detecting content and description information corresponding to the content (see paragraph 0032); and

means for associating the content with the event based on the description information and the event profile (see paragraph 0033).

As to claim 15, Bellwood et al. teaches a method comprising:

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receiving a request to access content from a user (see paragraph 0028);
searching for an event profile corresponding to the content (see paragraph 0040;
matching the content with the event profile (see paragraph 0032); and
displaying the content based on the user and the event profile (see paragraphs 0038-0039).

As to claim 16, Bellwood et al. teaches further comprising searching for description information corresponding to the content (see paragraph 0032).

As to claim 20, Bellwood et al. teaches a system, comprising:
an interface module to receive content and description information corresponding to the content (see paragraph 0032);
a storage module to store a record containing an event profile describing an event (see paragraph 0040); and
a content categorization module for matching the content with the event based on the event profile and the description information (see paragraph 0031).

As to claim 21, Bellwood et al. teaches further comprising an event detection module to detect the event (see paragraph 0028).

As to claim 22, Bellwood et al. teaches wherein the storage module stores the description information and the content (see paragraphs 0031-0032).

As to claim 23, Bellwood et al. teaches further comprising an access control module to selectively allow a user to view the content (see paragraph 0061).

As to claim 25, Bellwood et al. teaches a computer-readable medium having computer executable instructions for performing a method comprising:

receiving a request to access content from a user (see paragraph 0028);

searching for an event profile corresponding to the content (see 0040);

matching the content with the event profile (see paragraph 0033); and

displaying the content based on the user and the event profile (see paragraph 0061).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 17-18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellwood et al. in view of Frigon (U.S. patent No. 2002/0103813 A1).

As to claim 17, Bellwood et al. does not distinctly disclose wherein the user is an author listed in the description information.

Frigon teaches this, see paragraphs 0040 and 0043-0047. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Bellwood et al. to include the teachings of Frigon because these teachings would allow users to search for media content that they are in and allow media content to be more easily shared between friends.

As to claim 18, Bellwood et al. does not distinctly disclose wherein the user is a participant within the event profile.

Frigon teaches this, see paragraphs 0043-0047. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Bellwood et al. to include the teachings of Frigon because these teachings would allow users to search for media content that they are in and allow media content to be more easily shared between friends.

As to claim 24, Bellwood et al. does not distinctly disclose wherein the access control module allows the user to view the content when the user is a participant listed in the event profile associated with the event.

Frigon teaches this, see paragraphs 0043-0047. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified

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Bellwood et al. to include the teachings of Frigon because these teachings would allow users to search for media content that they are in and allow media content to be more easily shared between friends.

5. Claims 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellwood et al. in view of Asgarinejad et al. (U.S. patent application publication No. 2005/0003330 A1).

As to claim 19, Bellwood et al. does not distinctly disclose further comprising confirming an identity of the user.

Asgarinejad et al. teaches this, see 0045-0046. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified Bellwood et al. by the teachings of Asgarinejad et al. because these teachings would only allow authorized users access to the information being distributed.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Betit whose telephone number is (571) 272-4075. The examiner can normally be reached on Monday through Friday 9:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

jfb
26 Sep 2006


SAM RIMELL
PRIMARY EXAMINER